APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,746	03/24/2004	John Armstrong	EFIM0376	5865

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EXAMINER
RUBIN, BLAKE J

ART UNIT	PAPER NUMBER
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MAIL DATE	DELIVERY MODE
10/21/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

   A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
   WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
   - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
     after SIX (6) MONTHS from the mailing date of this communication.
   - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
   - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
     Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
     earned patent term adjustment. See 37 CFR 1.704(b).

Status

   1)☒ Responsive to communication(s) filed on *24 June 2008*.

   2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

   3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
        closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

   4)☒ Claim(s) *1-9 and 13-21* is/are pending in the application.

        4a) Of the above claim(s) _____ is/are withdrawn from consideration.

   5)☐ Claim(s) _____ is/are allowed.

   6)☒ Claim(s) *1-9 and 13-21* is/are rejected.

   7)☐ Claim(s) _____ is/are objected to.

   8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

   9)☐ The specification is objected to by the Examiner.

   10)☒ The drawing(s) filed on *02 June 2008* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

        Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

        Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

   11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

   12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

        a)☐ All b)☐ Some * c)☐ None of:

           1.☐ Certified copies of the priority documents have been received.

           2.☐ Certified copies of the priority documents have been received in Application No. _____.

           3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
                application from the International Bureau (PCT Rule 17.2(a)).

        * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3)☐ Information Disclosure Statement(s) (PTO/SB/08)	5)☐ Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6)☐ Other: _____

DETAILED ACTION

1.   This action is in response to communications filed June 2, 2008.

Response to Amendment

2.   Claims 1-9, and 13-21 are pending in this application. Claims 1 and 13 are currently amended. Claims 10-12, and 22-24 have been canceled.

3.   Terminal disclaimer filed June 2, 2008 is disapproved due to the filing date of copending application no. 10/808,910 being cited as March 24, 2008, when the copending application was actually filed on March 24, 2004.

Double Patenting

4.   The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees.   A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., In re Berg, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); In re Goodman, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); In re Longi, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); In re Van Ornum, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); In re Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and In re Thorington, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

5.   A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may

be used to overcome an actual or provisional rejection based on a nonstatutory double patenting

ground provided the conflicting application or patent either is shown to be commonly owned

with this application, or claims an invention made as a result of activities undertaken within the

scope of a joint research agreement.

6.   Effective January 1, 1994, a registered attorney or agent of record may sign a terminal

disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR

3.73(b).

7.   Claims 1-9 and 13-21 are provisionally rejected on the ground of nonstatutory

obviousness-type double patenting as being unpatentable over claims 29-37 of copending

Application No. 10/808,910.

8.   Although the conflicting claims are not identical, they are not patentably distinct from

each other because the instant application is claiming the method performed by the system

described in the copending application. This is a <u>provisional</u> obviousness-type double patenting

rejection because the conflicting claims have not in fact been patented.

Instant Application	10/808,910
1. A method for use with a first network device coupled to a first network, the first network coupled to a second network, the first network device comprising information identifying the first network device on the first network, the	29. A system comprising: first and second network devices coupled to a first network, the first network coupled to a second network, the first network device comprising first information identifying the first network

method comprising: receiving an identification message from the first network device, the identification message comprising the identifying information of the first network device; parsing the identification message to extract the identifying information of the first network device; and searching a directory table to identify a second network device coupled to the first network, the second network device comprising information identifying the second device on the first network.	device on the first network, the second computer device comprising second information identifying the second network device on the first network; a directory server coupled to the second network, the directory server adapted to register the first and second identification information, and adapted to process requests for identification information about registered network devices.
2. The method of claim 1, wherein the first network device comprises one of a computer, personal digital assistant, pager, cellular telephone, handheld messaging device, facsimile machine, copier, printer, telephone, security camera, household appliance, vending machine, kiosk, or digital camera.	30. The system of claim 29, wherein the first and second network devices each comprise one of a computer, personal digital assistant, pager, cellular telephone, handheld messaging device, facsimile machine, copier, printer, telephone, security camera, household appliance, vending machine, kiosk, or digital camera.
3. The method of claim 1, wherein the first network device comprises one of an inkjet printer, laser printer, wide format printer, or dot matrix printer.	31. The system of claim 29, wherein the first network device comprises a computer and the second network device comprises one of an inkjet printer, laser printer, wide format printer, or dot matrix printer.
4. The method of claim 1, wherein the first network device comprises an Internet protocol telephone.	32. The system of claim 29, wherein the first network device comprises a computer and the second network device comprises an Internet protocol telephone.
5. The method of claim 1, wherein the first network device comprises a network connection for coupling to the first network.	33. The system of claim 29, wherein the first and second network devices each comprise a network connection for coupling to the first network.
6. The method of claim 1, wherein the first network comprises a local area network.	34. The system of claim 29, wherein the first network comprises a local area network.
7. The method of claim 1, wherein the first network comprises a plurality of interconnected networks.	35. The system of claim 29, wherein the first network comprises a plurality of interconnected networks.
8. The method of claim 1, wherein the second	36. The system of claim 29, wherein the

network comprises any of a wide area network, global network, public network, or the Internet.	second network comprises any of a wide area network, global network, public network, or the Internet.
9. The method of claim 1, wherein the first network comprises a firewall, and the first network device is located within the firewall.	37. The system of claim 29, wherein the first network comprises a firewall, and the first and second network devices are located within the firewall.
13. A method for use with first and second network devices coupled to a first network, the first network coupled to a second network, the first network device comprising information identifying the first network device on the first network, the second network device comprising information identifying the second network on the first network, the method comprising: receiving a first identification message from the first network device, the first identification message comprising the identifying information of the first network device; parsing the first identification message to extract the identifying information of the first network device; registering the first network device in a directory table according to the identifying information of the first network device; receiving a second identification message from the second network device, the second identification message comprising the identifying information of the second network device; parsing the second identification message to extract the identifying information of the second network device; and searching the directory table to identify the first network device based on the identifying information of the second network device.	29. A system comprising: first and second network devices coupled to a first network, the first network coupled to a second network, the first network device comprising first information identifying the first network device on the first network, the second computer device comprising second information identifying the second network device on the first network; a directory server coupled to the second network, the directory server adapted to register the first and second identification information, and adapted to process requests for identification information about registered network devices.
14. The method of claim 13, wherein the first and second network devices each comprise one of a computer, personal digital assistant, pager, cellular telephone, handheld messaging device, facsimile machine, copier, printer, telephone, security camera, household appliance, vending	30. The system of claim 29, wherein the first and second network devices each comprise one of a computer, personal digital assistant, pager, cellular telephone, handheld messaging device, facsimile machine, copier, printer, telephone, security camera, household appliance, vending

machine, kiosk, or digital camera.	machine, kiosk, or digital camera.
15. The method of claim 13, wherein the first network device comprises a computer and the second network device comprises one of an inkjet printer, laser printer, wide format printer, or dot matrix printer.	31. The system of claim 29, wherein the first network device comprises a computer and the second network device comprises one of an inkjet printer, laser printer, wide format printer, or dot matrix printer.
16. The method of claim 13, wherein the first network device comprises a computer and the second network device comprises an Internet protocol telephone.	32. The system of claim 29, wherein the first network device comprises a computer and the second network device comprises an Internet protocol telephone.
17. The method of claim 13, wherein the first and second network devices each comprise a network connection for coupling to the first network.	33. The system of claim 29, wherein the first and second network devices each comprise a network connection for coupling to the first network.
18. The method of claim 13, wherein the first network comprises a local area network.	34. The system of claim 29, wherein the first network comprises a local area network.
19. The method of claim 13, wherein the first network comprises a plurality of interconnected networks.	35. The system of claim 29, wherein the first network comprises a plurality of interconnected networks.
20. The method of claim 13, wherein the second network comprises any of a wide area network, global network, public network, or the Internet.	36. The system of claim 29, wherein the second network comprises any of a wide area network, global network, public network, or the Internet.
21. The method of claim 13, wherein the first network comprises a firewall, and the first and second network devices are located within the firewall.	37. The system of claim 29, wherein the first network comprises a firewall, and the first and second network devices are located within the firewall.

Table 1

Claim Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

   A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
patent by another filed in the United States before the invention by the applicant for patent, except that an
international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
subsection of an application filed in the United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English language.

10.   **Claims 1-9 and 13-21 are rejected under 35 U.S.C. 102(e) as being anticipated by**

Teo et al (U.S. Patent No. 7,293,077), hereinafter Teo.

11.   With respect to claim 1, Teo discloses a method for use with a first network device

coupled to a first network, the first network coupled to a second network (column 3, lines 12-18),

the first network device comprising a source address of the first network device on the second

network (column 1, lines 55-67, *link layer identifier*); the method comprising:

        receiving a query message from the first network device (column 6, lines 57-59), the

query message comprising the source address of the first network device and a query (column 1,

lines 55-67; column 6, lines 59-67);

        parsing the query message to extract the source address and the query from the query

message (column 2, lines 1-7; column 17, lines 31-38);

        processing the query by searching a directory table (column 7, lines 3-7) on a third

network (column 8, lines 38-48; Figure 7, where each *Configurable Routers C* comprises a

distinct network) to identify a second network device coupled to the first network, the second

network device comprising information identifying the second device on the second network

(column 2, lines 42-51, whereby the "routing table" cited identifies a table, "for each...network

interface indicates the location associated," which is analogous to the "directory table" claimed;

column 7, lines 3-12; column 1, lines 50-57, whereby the cited "plurality of networked objects" identifies a "first network device" and a "second network device").

Formulating a reply message that includes the identifying information (column 6, line 59-63); and

Sending the reply message to the first network device (column 6, lines 63-67).

12.   With respect to claim 2, Teo discloses the method of claim 1, wherein the first network device comprises one of a computer, personal digital assistant, pager, cellular telephone, handheld messaging device, facsimile machine, copier, printer, telephone, security camera, household appliance, vending machine, kiosk, or digital camera (column 16, lines 41-46).

13.   With respect to claim 3, Teo discloses the method of claim 1, wherein the first network device comprises one of an inkjet printer, laser printer, wide format printer, or dot matrix printer (column 16, lines 35-46).

14.   With respect to claim 4, Teo discloses the method of claim 1, wherein the first network device comprises an Internet protocol telephone (column 4, line 6; column 13, lines 24-25).

15.   With respect to claim 5, Teo discloses the method of claim 1, wherein the first network device comprises a network connection for coupling to the first network (column 5, lines 15-18; Figure 1).

16.   With respect to claim 6, Teo discloses the method of claim 1, wherein the first network

comprises a local area network (column 2, lines 52-59, whereby it is inherently known in the art

that a private network is an implemented of a local area network; column 6, lines 20-24).

17.   With respect to claim 7, Teo discloses the method of claim 1, wherein the first network

comprises a plurality of interconnected networks (column 2, lines 29-33).

18.   With respect to claim 8, Teo discloses the method of claim 1, wherein the second

network comprises any of a wide area network, global network, public network, or the Internet

(column 2, lines 21-24).

19.   With respect to claim 9, Teo discloses the method of claim 1, wherein the first network

comprises a firewall, and the first network device is located within the firewall (column 15, lines

35-42).

20.   With respect to claim 13, Teo discloses a method for use with first and second network

devices coupled to a first network, the first network coupled to a second network (column 3,

lines 12-18), the first network device comprising information identifying the first network device

on the first network, the second network device comprising information identifying the second

network device on the first network (column 1, lines 55-67, *link layer identifier*); the method

comprising:

receiving a first identification message from the first network device (column 6, lines 57-59), the first identification message comprising the identifying information of the first network device (column 1, lines 55-67; column 6, lines 59-67);

parsing the first identification message to extract the identifying information of the first network device (column 2, lines 1-7; column 17, lines 31-38);

registering the first network device in a directory table (column 7, lines 3-12, *The routing table is dynamically updated*) on a third network (column 8, lines 38-48; Figure 7, where each *Configurable Routers C* comprises a distinct network) according to the identifying information of the first network device (column 7, lines 3-12);

receiving a query message from the second network device, the query message comprising the identifying information of the second network device and a query (column 1, lines 55-61; column 6, lines 59-67);

parsing the query message to extract the identifying information of the second network device and the query from the query message (column 2, lines 1-7; column 17, lines 31-38);

processing the query by searching the directory table (column 7, lines 3-7) to identify the first network device based on the identifying information of the second network device (column 2, lines 42-51, whereby the "routing table" cited identifies a table, "for each...network interface indicates the location associated," which is analogous to the "directory table" claimed; column 7, lines 3-12; column 1, lines 50-57, whereby the cited "plurality of networked objects" identifies a "first network device" and a "second network device"); and

formulating a reply message that includes the identifying information of the first network device (column 6, line 59-63); and

sending the reply message to the second network device (column 6, lines 63-67).

21.   With respect to claim 14, Teo discloses the method of claim 13, wherein the first and

second network devices each comprise one of a computer, personal digital assistant, pager,

cellular telephone, handheld messaging device, facsimile machine, copier, printer, telephone,

security camera, household appliance, vending machine, kiosk, or digital camera (column 16,

lines 41-46).

22.   With respect to claim 15, Teo discloses the method of claim 13, wherein the first network

device comprises a computer and the second network device comprises one of an inkjet printer,

laser printer, wide format printer, or dot matrix printer (column 16, lines 35-46).

23.   With respect to claim 16, Teo discloses the method of claim 13, wherein the first network

device comprises a computer and the second network device comprises an Internet protocol

telephone (column 4, line 6; column 13, lines 24-25).

24.   With respect to claim 17, Teo discloses the method of claim 13, wherein the first and

second network devices each comprise a network connection for coupling to the first network

(column 5, lines 15-18; Figure 1).

25.   With respect to claim 18, Teo discloses the method of claim 13, wherein the first network

comprises a local area network (column 2, lines 52-59, whereby it is inherently known in the art

that a private network is an implemented of a local area network; column 6, lines 20-24).

26.   With respect to claim 19, Teo discloses the method of claim 13, wherein the first network

comprises a plurality of interconnected networks (column 2, lines 29-33).

27.   With respect to claim 20, Teo discloses the method of claim 13, wherein the second

network comprises any of a wide area network, global network, public network, or the Internet

(column 2, lines 21-24).

28.   With respect to claim 21, Teo discloses the method of claim 13, wherein the first network

comprises a firewall, and the first and second network devices are located within the firewall

(column 15, lines 35-42).

Response to Arguments

29.   Applicant's arguments filed June 2, 2008 have been fully considered but they are not

persuasive.

30.   With respect to claims 1 and 13, Applicant argues that Teo does not describe or suggest

the claimed invention. But the applicant fails to put forward any argument as to how the claimed

invention differs in any way from that disclosed by Teo. In light of the applicant's failure to

substantiate any difference from the prior art cited in the previous action, the applicant must rely

on the detailed rejection above as the examiner's response to arguments.

Conclusion

31.   **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

32.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to BLAKE RUBIN whose telephone number is (571) 270-3802.

The examiner can normally be reached on M-R: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

10/20/08

/Rubin Blake/
Examiner, Art Unit 2457

/Yves Dalencourt/
Primary Examiner, Art Unit 2457